



#7

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: GOUGH ET AL.

APPLICATION No.: 09/997,322

FILED: November 27, 2001

FOR: METHOD AND APPARATUS FOR THE
PRODUCTION, DELIVERY, AND RECEIPT OF
AUDIOVISUAL E-MAIL (AS AMENDED)

EXAMINER: Unassigned

ART UNIT: Unassigned

CONF. NO: 3459

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**Information Disclosure Statement Within Three Months of
Application Filing or Before First Action – 37 CFR 1.97(b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 CFR 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☒ All cited references listed on PTO Form 1449
- ☐ References marked by asterisks
- ☐ The following:

☒ Copies of the following references can be found in parent U.S. Application No. 09/401,026, which is U.S. Patent No. 6,360,221 B1:

- ☐ All cited references
- ☒ References marked by asterisks on the 4th page of PTO Form 1449
- ☐ The following:

☐ The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-

language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.

- ☐ All cited references
- ☐ References marked by ampersands
- ☐ The following:

3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

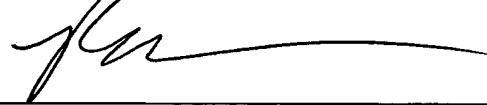
4. Fee Payment

No fees are believed due. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 CFR 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,
Perkins Coie LLP



Paul L. Hickman
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Date: September 9, 2002

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT Form PTO-1449 (Modified) (Use several sheets if necessary) 4 Pages of PTO 1449				COMPLETE IF KNOWN	
				Application Number	09/997,322
				Confirmation Number	3459
				Filing Date	November 27, 2001
				First Named Inventor	Gough et al.
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
				Attorney Docket No.	59333-8026.US02
Sheet	1	of	4		

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	A	6,351,763 B1		Motoyoshi Kawanaka	02/26/2002	
	B	6,327,612 B1		Takeshi Watanabe	12/04/2001	
	C	6,275,849 B1		Reiner Ludwig	08/14/2001	
	D	6,253,231 B1		Toshiya Fujii	06/26/2001	
	E	6,167,395		Beck et al.	12/26/2000	
	F	6,138,149		Kazunori Ohmura	10/24/2000	
	G	6,092,104		Christopher T. Kelly	07/18/2000	
	H	6,014,688		Venkatraman et al.	01/11/2000	
	I	5,856,825		Yumoto et al.	01/05/1999	
	J	5,826,062		Fake, Jr. et al.	10/20/1998	

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		Office	NUMBER	Kind Code (if known)				
	K		7-325827			09/21/1999		
	L		10-171727			09/21/1999		
	M		EP 0 340 039 B1			09/21/1999		
	N		EP 0 816 0990 A2			09/21/1999		

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	O	Yourdon, Java, the Web and Software Development, IEEE 1996	
	P	World Wide Web e-mail service provider Hotmail (hereinafter "Hotmail") available through the web site http://www.msn.com provided by the Microsoft Corporation, Exhibit A, pages 1 through 3 enclosed herewith is a print out of another feature of Hotmail called Mail Handling.	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).	

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Sheet	2	of	4		

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		NUMBER	Kind Code (if known)			
	Q	5,396,588		Horst Fressl	03/07/1995	
	R	6,167,434		Stephen Y. Pang	12/26/2000	
	S	5,793,972		Terence Shane	08/11/1998	
	T	5,740,252		Minor et al.	04/14/1998	
	U	5,659,729		Jakob Nielsen	08/19/1997	
	V	5,815,830		Andre Anthony	09/29/1998	
	W	5,903,269		Poreh et al.	05/11/1999	
	X	5,948,061		Merriman et al.	09/07/1999	
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	Z	5,918,014		Gary Robinson	06/29/1999	

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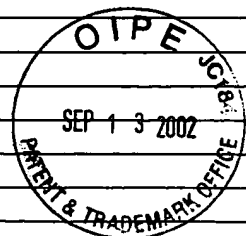
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		Office	NUMBER	Kind Code (if known)				

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	AA	Real Networks, Inc. (hereinafter "RealNetworks") a corporation with headquarters at 2601 Elliott Avenue, Suite 1000, Seattle, WA 98121, offers a line of products that include Real Player and Real Audio and the like. Versions these products may be downloaded from the Internet at http://www.real.com .	
	BB	Exhibit B is a print out of a page from Activegrams with the address: http://www.activegrams.com/cgi-bin/viewactivegrams.cgi?dadbdy on 9/26/99.	

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		NUMBER	Kind Code (if known)			
	CC	5,724,521		Rick Dedrick	03/03/1998	
	DD	5,806,043		Adrian Toader	09/08/1998	
	EE	5,513,126		Harkins et al.	04/30/1996	
	FF	5,428,784		Robert Cahill, Jr.	06/27/1995	
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	HH	5,774,534		Mayer	06/30/1998	
	II	5,774,170		Hite et al.	06/30/1998	
	JJ	5,694,616		Johnson et al.	12/2/1997	

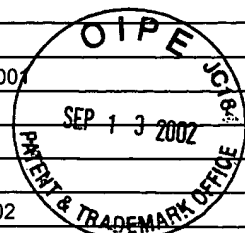
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		Office	NUMBER	Kind Code (if known)				

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	KK	Exhibit C, which is a print out of a page from Activegrams with the address: http://www.activegrams.com/cgi-bin/viewactivegrams.cgi?1411215ki on 9/21/99.	

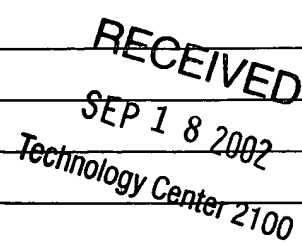
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		NUMBER	Kind Code (if known)			
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	MM	6,014,698 *		Michael J. Griffiths	01/11/2000	
	NN	5,848,397 *		Brian D. Marsh	12/08/1998	
	OO	6,067,570 *		Kreynin et al.	05/23/2000	
	PP	6,055,510 *		Henrick et al.	04/25/2000	
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	RR	5,838,790 *		McAuliffe et al.	11/17/1998	



FOREIGN PATENT DOCUMENTS

Examiner Initial	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear	T
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